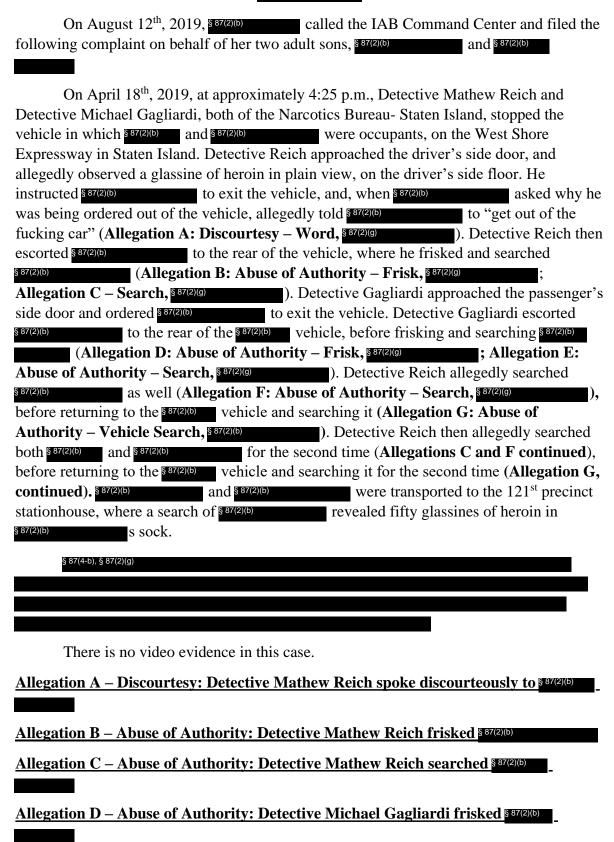
# CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:		Force	V	Discourt.	☐ U.S.
William Rasenberger		Squad #7	201907562	Ø	Abuse		O.L.	☐ Injury
Incident Date(s)		Location of Incident:		P	recinct:	18	Mo. SOL	EO SOL
Thursday, 04/18/2019 4:25 PM					121	10	/18/2020	6/4/2021
Date/Time CV Reported		CV Reported At:	How CV Reported	:	Date/Time	Rece	eived at CCI	RB
Mon, 08/12/2019 8:33 AM		IAB	Phone		Mon, 08/2	6/201	9 11:04 AM	Л
Complainant/Victim	Туре	Home Addre	ess					_
Subject Officer(s)	Shield	TaxID	Command					
1. DT3 Mathew Reich	00122	933211	NARCBSI					
2. DT3 Michael Gagliardi	1261	950453	NARCBSI					
Officer(s)	Allegation	 on			Inve	stiga	tor Recon	nmendation
A.DT3 Mathew Reich	Discourt to § 87(2)(b)	esy: Detective Mathew I	Reich spoke discour	teou	sly			
B.DT3 Mathew Reich	Abuse: I	Detective Mathew Reich	frisked § 87(2)(b)					
			IIISKCG					
C.DT3 Mathew Reich		Detective Mathew Reich						
	Abuse: I		searched § 87(2)(b)					
C.DT3 Mathew Reich	Abuse: I	Detective Mathew Reich	searched § 87(2)(b) ardi frisked § 87(2)(b)					
C.DT3 Mathew Reich D.DT3 Michael Gagliardi	Abuse: I Abuse: I	Detective Mathew Reich Detective Michael Gaglia	searched \$87(2)(b) ardi frisked \$87(2)(b) ardi searched \$87(2)(b)	I				
C.DT3 Mathew Reich D.DT3 Michael Gagliardi E.DT3 Michael Gagliardi	Abuse: I Abuse: I Abuse: I Abuse: I	Detective Mathew Reich Detective Michael Gaglia Detective Michael Gaglia Detective Mathew Reich Detective Mathew Reich Detective Mathew Raich and Sart	searched \$87(2)(b) ardi frisked \$87(2)(b) ardi searched \$87(2)(b) searched \$87(2)(b) searched the vehicle					
C.DT3 Mathew Reich D.DT3 Michael Gagliardi E.DT3 Michael Gagliardi F.DT3 Mathew Reich	Abuse: I Abuse: I Abuse: I Abuse: I which	Detective Mathew Reich Detective Michael Gaglia Detective Michael Gaglia Detective Mathew Reich Detective Mathew Reich Detective Mathew Raich and Sart	searched \$87(2)(b) ardi frisked \$87(2)(b) ardi searched \$87(2)(b) searched \$87(2)(b) searched the vehicle					

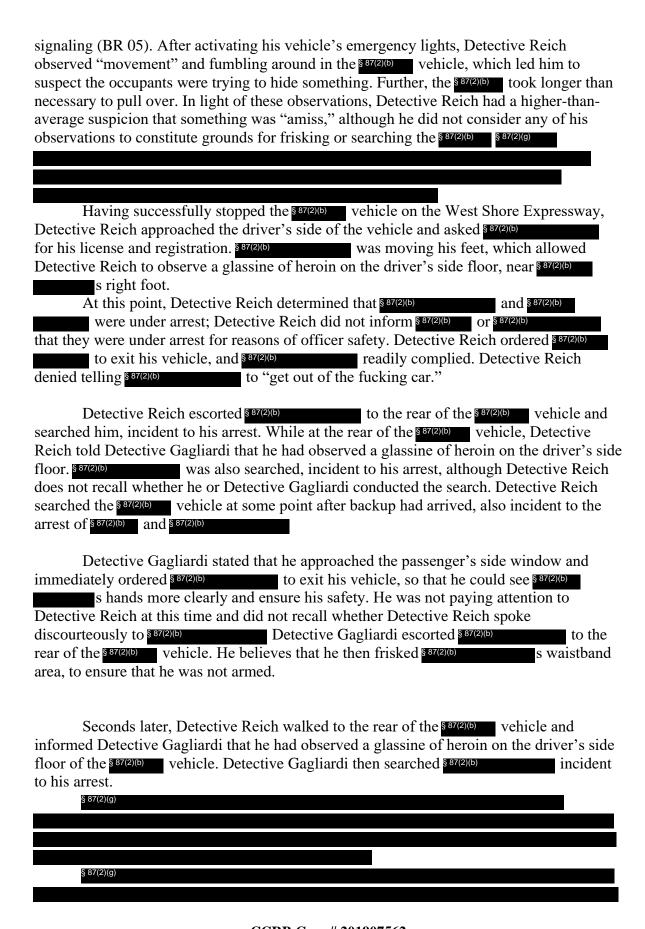
#### **Case Summary**



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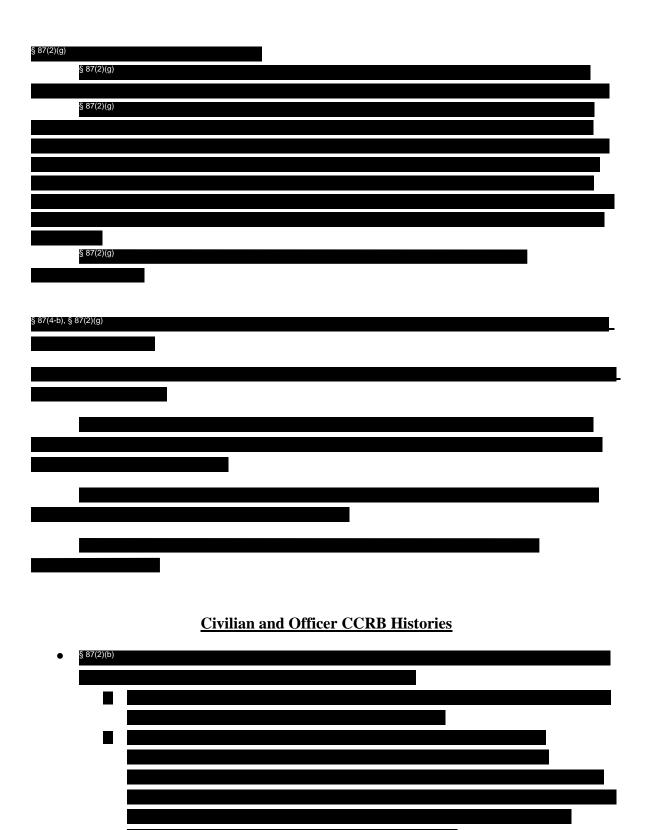
## Allegation E – Abuse of Authority: Detective Michael Gagliardi searched §87(2)(b)

## Allegation F – Abuse of Authority: Detective Mathew Reich searched Se7(2)(b) Allegation G: Detective Mathew Reich searched the vehicle in which Ser(2)(6) and § 87(2)(b) were occupants. was driving home with his brother §87(2)(b) Island Expressway when Detective Gagliardi and Detective Reich stopped the §87(2)(b) vehicle (BR 03). §87(2)(b) pulled over as soon as he was able to, but this took around two minutes, because there was no shoulder on which he could pull over. Detective Reich approached the driver's side of the vehicle and said that §87(2)(b) had been driving erratically, demanded his license and registration, and ordered him to step out of his car. \$87(2)(b) asked why, and Detective Reich stated "get out of the fucking car now." exited the vehicle, and Detective Reich brought him to the rear of the \$87(2)(b) vehicle, where frisked him and searched his pants and sweatshirt pockets. At the same time, Detective Gagliardi frisked and searched § 87(2)(b) who was standing next to §87(2)(b) After Detective Reich searched § 87(2)(b) he searched the § 87(2)(b) vehicle for roughly a minute and a half, before he returning to the rear of the \$87(2)(b) vehicle and telling them he had found a glassine. Detective Reich asked "where are the drugs?" and then searched the vehicle for a second time. § 87(2)(b) had no knowledge of any drugs inside of his vehicle. § 87(2)(b) had one glassine of heroin secreted in § 87(2)(b) his wallet, and fifty glassines secreted in one of his socks. There was no heroin anywhere else inside of the vehicle, and there is no possibility that any heroin fell from his person into the vehicle. After learning that his vehicle was being pulled over, §87(2)(b) surprised, but remained calm and did not behave "erratically." He removed his license from his wallet. After the \$87(2)(b) vehicle stopped, Detective Gagliardi ordered \$87(2)(b) exit his vehicle, and then escorted him to the rear of the \$87(2)(b) vehicle. Josephe \$87(2)(b) left his wallet in the vehicle. Detective Reich frisked and searched both §87(2)(b) while Detective Gagliardi stood by, uninvolved. Detective Gagliardi did not frisk § 87(2)(b) at any point. After Detective Reich searched the \$87(2)(b) vehicle for the first time, he searched both § 87(2)(b) and § 87(2)(b) for a second time. This search was more thorough than the first one, and included Detective Reich manipulating §87(2)(b) s crotch area and, most likely, searching § 87(2)(b) s pack of cigarettes. Detective Reich stated that he observed the §87(2)(b) vehicle driving on the shoulder of the Staten Island Expressway at a high rate of speed, and changing lanes without



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• Detective Gagliardi, an 8-year member of service, has been the subject of eleven CCRB complaints, one of which was substantiated. [587(2)(9)]

- CCRB case # 201407897 involved an allegation of a vehicle search, which was substantiated, and which resulted in formalized training.
- Detective Reich, a 16 year member of service, has been the subject of 31 CCRB complaints, six of which have been substantiated.
  - CCRB case # 200503310 involved allegations of a stop and refusal to provide name/shield number, both of which were substantiated and resulted in instructions.
  - CCRB case # 201305607 involved an allegation of a frisk, which was substantiated and resulted in formalized training.
  - CCRB case # 201409178 involved an allegation of force, which was substantiated. Detective Reich was found not guilty.
  - CCRB case # 201410419 involved an allegation of a vehicle stop, which was substantiated. Detective Reich was found not guilty.
  - CCRB case # 201501303 involved an allegation of refusal to obtain medical treatment, which was substantiated and resulted in Command Discipline – A.
  - CCRB case # 201600455 involved allegations of a vehicle stop, which was substantiated and resulted in formalized training.
  - CCRB case # 201905807 involves allegations of a threat of summons, threat to damage/seize property, a vehicle search, a vehicle stop, discourtesy, To date, this investigation is still open.

#### Mediation, Civil and Criminal Histories

•	§ 87(2)(b)	and § 87(2)(b)	declined to mediate this complaint.
•	According to the I	NYC Office	of Court Administration database, neither §87(2)(b)
	nor § 87(2)(b	0)	have been convicted of any criminal offenses.

•	To date, the New York City Officer of the Comptroller has no record of a Notice of
	Claim being filed in regards to this incident (BR 13).

Squad No.:	7		
Investigator:	Signature	Print Title & Name	Date
Squad Leader:	Signature	Manager Vanessa Rosen Print Title & Name	April 28, 2020 Date
Reviewer:	Signature	Print Title & Name	